

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS INC.,

Debtor.

**Chapter 11 Case
No. 08-13555 (SCC)**

(Jointly Administered)

**ORDER GRANTING MOTION PURSUANT TO THE AMENDED SPV ADR ORDER
AND SECTION 105(a) OF THE BANKRUPTCY CODE TO (I) ENFORCE
SETTLEMENT AND RELEASE AGREEMENT AND (II) GRANT
ATTORNEYS' AND MEDIATOR'S FEES AND COSTS**

Upon the motion, dated January 30, 2017 [ECF No. 54675] (the "Motion"),¹ of Lehman Brothers Holdings Inc. ("LBHI" or the "Plan Administrator"), as Plan Administrator under the *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors* for certain entities in the above-referenced chapter 11 cases, on behalf of Lehman Brothers Special Financing Inc. ("LBSF"), (i) to enforce the Settlement and the Release Agreement among LBSF and Shinhan Bank ("Shinhan"), as more fully described in the Motion; and (ii) grant the Plan Administrator attorneys' and mediator's fees and costs; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided in accordance with the procedures set forth in the amended order entered June 17,

¹ Capitalized terms used but not defined herein shall have the meaning set forth in the Motion.

2010 governing case management and administrative procedures [ECF No. 9635] to (i) K&L Gates LLP, 599 Lexington Ave., New York, New York 10022, Attn: John A. Bicks, Esq., attorneys for Shinhan Bank, (ii) the U.S. Trustee, (iii) the Securities and Exchange Commission, (iv) the Internal Revenue Service, (v) the United States Attorney for the Southern District of New York, and (vi) all parties who have requested notice in the chapter 11 cases; and Shinhan having filed a memorandum of law in opposition to the Motion [ECF No. 54817]; and the Plan Administrator having filed a reply memorandum of law in support of the Motion [ECF No. 55011]; and a hearing having been held on March 21, 2017 (the “Hearing”) to consider the relief requested in the Motion; and upon the record of the Hearing; and after due deliberation, for the reasons set forth in the decision of the Court read into the record at the Hearing (the “Bench Decision”), it is

ORDERED that the Motion is granted to the extent set forth in the Bench Decision, which is incorporated herein by reference, and a transcript of which is annexed as Exhibit A hereto; and it is further

ORDERED that the Court finds that the Settlement, and the Release Agreement attached as Exhibit D to the Stipulation, are enforceable; and it is further

ORDERED that Shinhan shall perform the terms and conditions of such Release Agreement; and it is further

ORDERED that Shinhan shall pay LBSF the agreed-upon Settlement Amount within ten (10) days after this Order becomes final and non-appealable, and LBSF shall file a notice of dismissal of the claims asserted against Shinhan in *LBSF v. Bank of America Nat. Association et al.*, Adv. No. 10-03547, filed in this Court, with prejudice within seven (7) business days after such payment; and it is further

ORDERED that this Order is binding and effective on the Plan Administrator, LBHI, LBSF, Shinhan, and any successors thereto; and it is further

ORDERED that the enforcement of this Order shall be stayed for fourteen (14) days after its entry, provided that such stay shall not extend the 14-day appeal period set forth in Bankruptcy Rule 8002; and it is further

ORDERED that Shinhan may obtain a further stay pending appeal by posting a supersedeas bond, subject to this Court's approval, pursuant to Local Bankruptcy Rule 8007-1(a) in the amount of the Settlement Amount plus 11% plus \$250, provided that any such bond may be submitted by a motion or agreed order filed with the Court that redacts the Settlement Amount pursuant to Paragraph 13 of the Amended SPV ADR Order, with no further requirement to submit such motion or agreed order under seal, and such stay shall take effect when the Court enters its order approving such bond; and it is further

ORDERED that notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion; and it is further

ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: March 29, 2017
New York, New York

/S/ Shelley C. Chapman
UNITED STATES BANKRUPTCY JUDGE